



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter:** Laro Service Systems, Inc.--Reconsideration

**File:** B-256616.6

**Date:** January 27, 1995

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### DECISION

Laro Service Systems, Inc. requests reconsideration of our January 5, 1995, dismissal of its protest of the award of a contract to Ogden Allied Eastern States Maintenance Corp. under request for proposals No. GS-02P-93-CTC-0088 by the General Services Administration. We dismissed Laro's protest because the protester did not file written comments on the agency's administrative report, or a written statement of continued interest in the protest, within 10 working days of the due date for receipt of the report, as required under our Bid Protest Regulations.

We affirm the dismissal.

Laro's protest was filed in our Office on November 7, 1994. On November 9, we sent a standard acknowledgment of protest notice to Laro's counsel. That notice provided information regarding our bid protest requirements, 4 C.F.R. § 21.3(j) (1994), to submit comments on the agency's report or to advise our Office to decide the protest on the existing record. The notice included the due date for receipt of the report and advised Laro that we assume it receives a copy of the report on the scheduled due date. Our notice further provides that failure to respond to the report within 10 days of the due date will result in the dismissal of the protest.

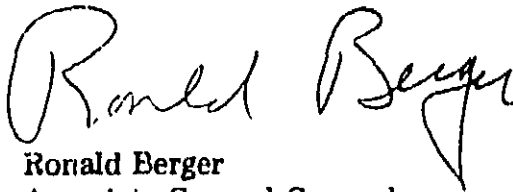
In its request for reconsideration, Laro argues that "[1] day lateness of the response to the agency's report is de minimis" and that even where the response is untimely but of importance to the procurement community, we should nonetheless review the protest on the merits.

The filing deadlines in our Regulations are prescribed under the authority of the Competition in Contracting Act of 1984 (CICA); their purpose is to enable us to comply with the statute's mandate that we resolve bid protests expeditiously. 31 U.S.C. § 3554(a)(1) (1988); U.S. Shutter Co.- Recon., B-219952.2, Jan. 15, 1986, 86-1 CPD ¶ 42. It is not our policy to reopen a protest file where the protester has failed to respond in a timely manner to the report, since to do so would be inconsistent with that purpose. U.S. Shutter Co.- Recon., *supra*.

As we have noted, Laro was aware of its responsibility in that regard; it is incumbent upon a protester to exercise the due diligence and care necessary to meet that responsibility. Egerman Roofing Supply Co., B-213371.2, Mar. 19, 1984, 84-1 CPD ¶ 323.

Bid protests are serious matters which require effective and equitable procedural standards to assure both that parties have a fair opportunity to present their cases and that protests can be resolved in a reasonably speedy manner. Since Laro did not express timely continued interest in the protest, our reopening of the file would be inconsistent with the goal of providing a fair opportunity for protesters to have their objections considered without unduly disrupting the procurement process. Id.

The dismissal is affirmed.

A handwritten signature in black ink, appearing to read "Ronald Berger". The signature is fluid and cursive, with the first name "Ronald" and last name "Berger" clearly distinguishable.

Ronald Berger  
Associate General Counsel